

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

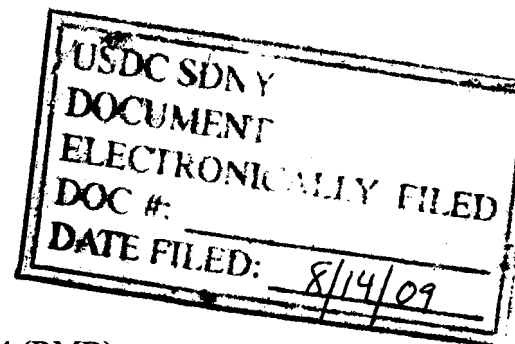
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ASTELLAS US LLC, et al.,

Plaintiffs,

- against -

CORNERSTONE LOGISTICS, INC., et al.,

Defendants.
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09 Civ. 6364 (RMB)

ORDER

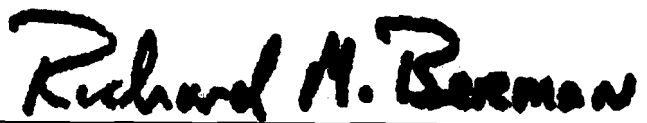
By Order dated August 6, 2009, the Court directed the parties to submit a letter by August 14, 2009 (noon) setting forth the reasons, if any, why this action should not be transferred to the United States District Court for the Western District of New York pursuant to 28 U.S.C. § 1404(a) based upon allegations in the Complaint and in a letter from Plaintiffs, dated August 6, 2009, that “Defendant Cornerstone Logistics LP (‘Cornerstone’) was and is a corporation organized and existing under and by virtue of one of the States of the United States or one of the Provinces of Canada”; “Cornerstone regularly conducts and systematically transacts business in the United States and in New York, in particular, and maintains an office and place of business at 2813 Wehrle Drive, Suite 8-10, Buffalo, NY 14221”; “Cornerstone’s head office and principal place of business is located at Williamsville, New York”; “Defendant Lain Transportation (‘Lain’) was and now is a corporation organized and existing under and by virtue of the laws [of] one of the Provinces of Canada”; and “[o]n or about August 28, 2008, at Philadelphia, PA, there was shipped by Catalent and delivered to Defendants as common motor carriers, a shipment of pharmaceuticals” that “is listed as having been consigned to ‘Astellas Pharma Manufacturing Inc., 3125 Stanley Road, Grand Island, New York 14072’”; and “Defendants failed to make delivery of the shipment in same good order and condition as

received” to Brampton, Ontario). (Compl. ¶¶ 6–9; Ltr. from Edward C. Radzik to Hon. Richard M. Berman, Aug. 6, 2009, at 2.) Defendant Cornerstone Logistics LP having responded in a letter dated August 13, 2009, “agree[ing] with the Court that the Western District of New York is the most logical and convenient forum for all parties,” and the other parties having failed to respond to date, it is hereby

ORDERED that in accordance with the Order of the Court dated August 11, 2009, the Clerk of Court is directed to transfer this case to the United States District Court for the Western District of New York pursuant to 28 U.S.C. § 1404(a) and to close this case on the Court’s docket.

SO ORDERED.

Dated: New York, New York
August 14, 2009



RICHARD M. BERMAN, U.S.D.J.
8/14/09